

**SCHNADER HARRISON SEGAL &
LEWIS LLP**

Lisa J. Rodriguez
Woodland Falls Corporate Park
220 Lake Drive East, Suite 200
Cherry Hill, New Jersey 08002-1165
Telephone: (856) 482-5222
Facsimile: (856) 482-6980

GLANCY PRONGAY & MURRAY LLP

Robert V. Prongay
Kara M. Wolke
Alexa Mullarky
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160

*Attorneys for Lead Plaintiff Charles Frischer
and the Proposed Settlement Class*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DARLAN ZACHARIA, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

STRAIGHT PATH COMMUNICATIONS,
INC., DAVIDI JONAS, and JONATHAN
RAND,

Defendants.

Case No. 2:15-cv-08051-JMV-MF

**LEAD PLAINTIFF'S AMENDED
NOTICE OF UNOPPOSED MOTION
AND AMENDED UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF
SETTLEMENT**

TO: THE CLERK OF THE COURT AND ALL COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on December 5, 2017, or on such date and time as the Court shall determine, the undersigned counsel for lead plaintiff Charles Frischer (“Lead Plaintiff”) shall move before the Honorable John Michael Vazquez, United States District Judge, at the United States District Court located at 50 Walnut Street, Newark, New Jersey 07101, for an Order: (i) preliminarily approving the Settlement as embodied in the Amended Stipulation and Agreement of Settlement dated December 1, 2017, filed concurrently herewith (the “Amended Stipulation”); (ii) certifying the Settlement Class, and appointing Lead Plaintiff as class representative and Lead Counsel Glancy Prongay & Murray LLP (“Lead Counsel”) as class counsel for the purposes of the Settlement; (iii) approving the form and manner of providing notice of the Settlement to the Settlement Class; and (iv) setting a hearing at which the Court will consider final approval of the Settlement, approval of the plan of allocation, and Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of litigation expenses.

By his Amended Motion, Lead Plaintiff requests preliminary approval of the Settlement set forth in the Amended Stipulation. The Amended Motion and Amended Stipulation respond to the Motion to Intervene Pursuant to Federal Rule of Civil Procedure 24 and to Oppose Preliminary Approval of the Settlement (“Motion to Intervene”) filed by proposed intervenor JDS1, LLC (“JDS1”) on November 5, 2017. *See* Dkt. No. 68. On November 28, 2017, Lead Plaintiff and Defendants Straight Path Communications, Inc., Davidi Jonas, and Jonathan Rand reached an agreement to amend the Stipulation and Agreement of Settlement to exclude claims pending in *In re Straight Path Communications Inc. Consolidated Shareholder Litigation*, C.A. No. 2017-0486-SG (Del. Ch.), including any claims that were voluntarily dismissed without prejudice and may be repleaded. *See* Dkt. Nos. 75 & 76; *see also* Amended Stipulation, filed concurrently herewith, at p. 8

(¶1(r)). On November 30, 2017, JDS1 withdrew its Motion to Intervene. *See* Dkt. No. 76. Accordingly, Lead Plaintiff now submits the Amended Stipulation for the Court's consideration and respectfully requests that the Court grant preliminary approval of the Settlement as set forth therein.

PLEASE TAKE FURTHER NOTICE that in support of the Amended Motion, Lead Plaintiff will rely on the attached Memorandum of Law; the Declaration of Alexa Mullarky and exhibit thereto; and any such other papers as may be filed in support of this Motion. A proposed Order is also submitted herewith.

Dated: December 5, 2017

Respectfully submitted,

**SCHNADER HARRISON SEGAL & LEWIS
LLP**

By: /s/ Lisa J. Rodriguez
Lisa J. Rodriguez
Woodland Falls Corporate Park
220 Lake Drive East, Suite 200
Cherry Hill, NJ 08002-1165
Telephone: (856) 482-5222
Facsimile: (856) 482-6980

*Liaison Counsel for Lead Plaintiff and the
Proposed Settlement Class*

GLANCY PRONGAY & MURRAY LLP

Robert V. Prongay
Kara M. Wolke
Alexa Mullarky
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160

*Lead Counsel for Lead Plaintiff and the Proposed
Settlement Class*